

LEGISLATURE IS IN SESSION

Doran President of the Council and Bailey of Cochise Is the Speaker of the Lower House

GOVERNOR'S MESSAGE WILL BE READ TODAY

Will Be Against Gambling—A Globe Saloon Man Heads the Lobby Against Saloon and Gambling Legislation.

Special to the Silver Belt.

PHOENIX, January 21.—The twenty-fourth legislature was organized today without friction. A. J. Doran of Yavapai county was elected president of the senate; G. A. Mank, chief clerk; May Blakely, enrolling and engrossing clerk; Isaac R. Polhamus of Yuma, attorney; John Billy of Graham, sergeant at arms; John Granger of Pima county, messenger, and Rev. A. M. Maclean of Phoenix, chaplain. These are the officers provided for by the organic act. The other officers, both of the council and assembly, should be disposed of tomorrow.

At the beginning there was a disposition towards economy, but perhaps the members will as usual be overcome by the importunities of applicants with the result that there will be as many clerks as ever.

Bailey Speaker

There was a prospect of a deadlock in the house, but it was unexpectedly broken this morning by W. W. Pack of Graham, who it is said had been pledged to Bell of Maricopa, turning over to Bill Bailey of Cochise for speaker.

Williams of Williams and Bo White of Santa Cruz, who had each entered the race for a lightning stroke, then threw up their hands and all was over. In place of the speakership, Maricopa county was given concessions in the way of clerkships.

Governor's Message

After the organization the usual notification by the two houses to each other and to the governor, an adjournment was taken until 10 o'clock tomorrow, when the governor's message will be read in joint session. Though the message has not been made public, it is understood that it will contain strong recommendations on the subject of mining taxation, representing the views of the governor, who probably would favor an output rate rather than a bullion tax law, or would favor an extension of the powers of the territorial board of equalization to go behind the returns of county assessors in individual cases.

Against Gambling

It is also thought that the governor will recommend an anti-gambling law, a saloon regulating law prescribing hours of closing and eliminating the gaming girl. The council is understood to favor the measures for the suppression of gambling and for the regulation of saloons, but the attitude of the house is uncertain.

Globe Man Heads Lobby

A. H. Sterns, a Globe saloon man, has recently been organizing a fight against the proposed gambling and saloon legislation, but Phoenix gamblers and saloons are apathetic, as gambling has already abolished here, or will be by February 1. Sterns went to Bisbee and then visit Prescott and towns in the north.

New Mexico Legislature

Associated Press. SANTA FE, N. M., January 21.—The thirty-seventh legislative assembly convened this afternoon and was organized. The Republicans control both houses.

FIRST HARRIMAN MERGER HEARING

Line at Seattle Tries to Show that Harriman Merged the Parallel Lines

Associated Press.

SEATTLE, Wash., January 21.—The first hearing on the Pacific coast into the Harriman merger was held today in the Interstate Commerce Commission. After four witnesses had testified, the hearing was continued until Tuesday at Portland. To show that Harriman has absorbed and merged parallel lines in violation of the Sherman law is the purpose of the investigation.

Benjamin Campbell, fourth vice president of the Great Northern, who formerly was connected with the traffic department of the Harriman lines, was the first witness today. Attorney Sevenson sought to show by Campbell that previous to the merger competition existed between the Southern Pacific and

one hand and the Oregon Railroad & Navigation company and the Oregon Short Line and the Union Pacific, and that after the merger competition ceased. Campbell stated that the Portland route to the Atlantic seaboard was impractical. He admitted mild competition between the Southern Pacific and Oregon Railroad & Navigation river service on the Willamette river, but the service above Salem was inconsequential.

JURY WHICH TRIED SHEA IS DISCHARGED

By Associated Press. CHICAGO, January 21.—The Shea jury was discharged today, being unable to agree. The jury was out for fifty-five hours. Seven voted for acquittal and five for conviction. The state's attorney's office, announces that the case against Shea and his associates will be vigorously pushed and that preparations for a new trial will begin at once.

ANOTHER ROUND GOES TO HENEY

Schmitz and Ruef Again Go Up Against It in the Supreme Court

By Associated Press.

SAN FRANCISCO, Cal., January 21.—Although the supreme court today virtually forecast a defeat for Mayor Schmitz and Abraham Ruef in their application for a writ of habeas corpus the case was not decided, a further hearing being arranged for tomorrow.

The writ was sought for the purpose of removing the indictment from the jurisdiction of Superior Judge Dunne. Attorney Francis J. Heney contested the application for the writ, claiming that the mayor surrendered to the sheriff merely for the purpose of obtaining a writ and was never actually in prison. The majority of the court seemed to take Heney's view of the case.

Schmitz and Ruef then made application for a writ of error to the supreme court, but it was denied.

NEW RAILROAD FOR ARIZONA

Texas & Pacific to Connect with Line from San Diego to Territory

By Associated Press.

EL PASO, Texas, January 21.—The Times says it is informed that the Texas & Pacific will begin early this summer the building of a line west from El Paso to connect in Arizona with the line to be built from San Diego east into the territory and that the Gould interests are back of the project.

The survey for a new line from El Paso to Kansas City, Mo., known as the Kansas City Short Line, has begun and it is said the construction work will begin this summer.

Rich Strike in Old Centennial

The Giant King Development company, Harry Zachowger superintendent, who are reopening the old Centennial mine, situated about six miles north-east of Globe, have recently found some rich ore. In the shaft a seam of silver ore one inch thick and assaying 500 ounces of silver was opened. Also in shallow workings twenty-four feet below the bed of the creek a foot of ore has been encountered almost as rich in silver as that cut in the shaft and which also assays 10 per cent copper.

SMUGGLED JAPANESE CAUGHT IN NEW MEXICO

By Associated Press.

EL PASO, Texas, January 21.—Twenty-five Japanese who had smuggled themselves across the border by wading the Rio Grande, were captured five miles north of Anapra, N. M., today by immigration officials. They were brought here and deported to Mexico.

Buy Mexican Lands

By Associated Press.

EL PASO, Texas, January 21.—The Continental Rubber company, engaged in the manufacture of rubber from guatle, has bought large tracts of land in Coahuila, Mexico, for \$750,000.

TILLMAN'S LAST FUNNY ATTEMPT

Starts off Ridiculing the Senate and Then Flays His Detractors of Last Week.

MORE THAN ROASTS SPOONER AND CARMACK

Two Hours Session Winds Up in Apologies All Around—Harsh Words by South Carolinian Are Regretted.

By Associated Press.

WASHINGTON, January 21.—A spectacular speech by Senator Tillman was the chief feature of an exciting day in the senate. The South Carolina senator's effort was as a reply to the recent criticism of himself by Senator Spooner of Wisconsin. He began with a satirical picture of the senate as a minstrel show and later said it was his first and last attempt to be "funny," an attempt, which at its conclusion brought a stinging denunciation from Senator Carmack of Tennessee in re-assertment of allusions to him.

This was preceded by a serious reply from Mr. Spooner on the attitude taken by Senator Tillman on the race question, all resulting in a session of nearly two hours behind closed doors. The secret session was followed by a brief open one in which Tillman made a profuse apology to Carmack and to all the senators whom he had brought into his "first essay in the line of humor," and finally to the entire senate.

"I very much regret that I ever undertook to be funny and will never do so again," he said. The apology was at once accepted by Carmack, who regretted that he had questioned the motives of his friend and he too withdrew the words he had uttered in protest.

The Brownsville affair was the subject of controversy and the day began with the announcement of a compromise resolution which brought the Republican and Democratic senators together on a basis of ordering an investigation of the fast without bringing into the question the authority of the president to dismiss the troops.

The resolution was submitted to and approved by the president at a conference yesterday.

After the speeches Foraker attempted to get a vote on his resolution. An objection was made and the matter will be taken up tomorrow.

Tillman's Funnyness

As a prelude Tillman paid his compliments to the senators who had spoken on the Brownsville affair. He said that the press had denominated him the "burnt cork artist of the senate," and remarked that if he was entitled to the appellation or that of "Pitchfork Ben," at one end of the minstrel line, certainly "Fire Alarm" Joe Foraker ought not to be ignored at the other.

Culberson was designated as performing a solo on "bones," in praise of the president. Daniel was called "the brilliant courtly senator from Virginia whose speciality is oratory and who works rhetoric for a time."

"Smiling Tom" Patterson

"Next," said Tillman, "we have the dying swan, Smiling Tom of Colorado, the state recently bought at auction by one Guggenheim. His swan song is a dirge for the dying Democracy of the north, stabbed in its vitals by Ben's pitchfork. His act is very pathetic and always brings tears to the eyes of his audience."

Carmack Next

"Next we have the redoubtable Tennesseean, who was once a very hot-spur in the lists, whose spear has run through and clear upon the visor of the Usurper at the White House and who has made the sparks fly in many an onset, but whose spearhead is broken off; but before retiring, he seizes a garland of flowers and, placing it on his headless weapon, he lays it at the feet of the victorious Roosevelt as a peace offering and joins the minstrels to sing his last song. His speciality is a song, 'Renominate Our Idea or Give Us Back Our Platform.'"

Bacon, Stone and Spooner

"As the middleman we have the pompadour artist from Georgia, whose speciality is to never answer any questions and who depends on his voice to carry conviction to his audience."

"Then comes the star of the troupe, Gunshoe Bill from old Missouri. He can dance the Highland Fling on the top of a ten-rail fence and never touch the ground, but his greatest feat is walking on eggs without breaking the shells."

"Last we have the artist from the Badger state, an acrobat juggler of international reputation. He is supple, sly, foxy and, having once been a lawyer, is noted for his ability to get on either side of any question and maintain an argument with great force."

Negro Akin to Monkey

At this point Tillman turned his attention to Spooner's recent attack. He declared that in Spooner's speech "his manner was as insulting as it is possible for a senator to assume and the attack unparalleled, intentional and in cold blood. It was an action worthy of Uriah Heep."

He said: "We have not shot any negroes in South Carolina on account of politics since '76 and have not found it necessary."

He said he would not call the negro a baboon. "I believe they are men, yet they are so akin to monkeys that scientists are looking for the missing link yet."

Judge Lynch Justified

"I have justified Lynch law for one crime and one only; I have consistently maintained that attitude for the last fourteen years. As governor of South Carolina, I proclaimed that I would lead a mob to lynch any man, black or white, who had ravished any woman, black or white. This is my attitude, calmly, deliberately taken, and justified by my conscience in the sight of God."

Relating to the president's orders in the Brownsville affair, Tillman said: "Mr. Roosevelt has already rescinded one part of his order and I warn my fellow senators that they need not be surprised to find him a little later on modifying or changing his attitude."

Dodged Main Question

Replying to Senator Spooner's speech he said: "I call attention to the fact that each of the three champions who have been the most vociferous in applauding the president's course and defending his conduct, dodged the question of why did not the president employ detectives. My bluff and earnest friend from Georgia, the brilliant friend from Tennessee and the sly and slippery senator from Wisconsin all dodged it. If there has been a single and genuine effort made to detect the murderers in this case I fail to find record of it. Reliance upon inquiry set on foot by Major Blockson and General Garlington as the sole means of detection are to my mind nothing less than idiotic. The whole procedure has the appearance of a well laid plan to shield and protect the real criminals and hurry the expulsion of innocent and guilty men alike from the army so as to put it out of the power of anybody to ever prove who the guilty men were and mete out the adequate punishment to them."

Lynchings not 'Bees'

"The senator from Wisconsin speaks of 'lynchings bees.' As far as lynching for rape is concerned the word is a misnomer. When stern, sad-faced men put to death a creature in human form who deflowered a white woman there is nothing of the 'bee' about it. There is more of the feeling of participating as mourners at a funeral. They have avenged the greatest wrong, the blackest crime in all the category of crimes, not so much as an act of retribution, but as a warning to any man who shall repeat the offense. They are looking to the protection of their loved ones."

Spooner Rawhided

"The senator from Wisconsin prates about the law. He erects law into a deity which must be worshipped regardless of justice. He has studied law books until his mind has become saturated with a bigotry which ignores the fundamental principles in this government—law is nothing more than the will of the people."

"The senator from Wisconsin is incapable of understanding conditions down south or has lost those natural impulses which have for centuries been characteristic of the race. That trinity of words, noblest and holiest in our language, 'womanhood, wifehood, motherhood,' have a Saxon origin and a man who discusses cold-bloodedly a matter so vital as the purity and chastity of womanhood is a disgrace to his own mother and unworthy the love of a good wife."

Getting Down to Facts

"It is idle to reason or preach about it. Our brains reel under the staggering blow and hot blood surges to the heart. Civilization peels off. We revert to the original savage whose impulses under any and all such circumstances have always been to kill! kill! kill!"

"I don't know what the senator from Wisconsin would do under these circumstances, neither do I care. I have three daughters and, so help me God, I would rather find one of them killed by a tiger or bear and gather up her bones and bury them, conscious that she had died in the purity of maidenhood, than to have her crawl to me and tell the horrid story of how she had lost the jewel of womanhood, or, rather, had been robbed of it by a black fiend."

Victim, Judge and Jury

"What shall we do with a man who out-bruted the brute and committed an act more cruel than death? Try him! Drag the victim into court, for she alone can furnish legal evidence, and make her testify to the fearful ordeal through which she has passed undergoing a second crucifixion!"

"This is what the senator from Wisconsin says he would do and he is welcome to all the honor he can get out of it. Our rule is to make the woman the witness, prosecutor, judge and jury. I have known Judge Lynch's court to sit for a week while suspect after suspect was run down and arrested. In every instance they were brought into the presence of the victim and when she said 'that is not the man,' he was free, but when she declared that the guilty wretch was before her it was enough, and until the white men of the south change their natures and become degenerates, it will continue to be enough."

Apologize for Nothing

"The senator from Wisconsin and the senator from Colorado may rave and the newspapers may howl, but men who were reared by virtuous mothers, who admire woman as the most priceless jewel of their civilization, will do as we of the south have done. On this question I apologize for nothing. I spurn and scorn the charlatany and hypocrisy, the cowardice and effrontery of all such creatures."

Back to Brownsville

Regarding his position on the Brownsville affair, Tillman said: "I find myself on this question for the first time since I have been a member of this body holding different views to my Democratic colleagues. I fully expected that the people of the southern states would commend the president's action in discharging the battalion. They do not."

(Continued on Page Six)

DISAVOW INSULT TO REAR ADMIRAL

Great Britain Not Responsible for Acts of Jamaican Governor, It Would Appear.

SPURNED THE OFFER OF AMERICAN AID

Swettenham Told Admiral Davis to Embark Men and Doctors Who Were Doing Relief Work—Investigation On.

By Associated Press.

WASHINGTON, January 21.—Dispatches exchanged today between the British secretary of state and the war and state departments made public here tonight, wholly ignoring the letters which passed between Admiral Davis and Governor Swettenham at Kingston, have had the effect of relieving the tenacity of feeling which existed since it became known that Davis returned yesterday to Guantanamo from Kingston with his ships which had gone to aid the stricken people of Jamaica.

The message from London is interpreted here as meaning that the British government and people disavow the action of the governor in requesting the admiral to embark his men. The text of the dispatches referred to follows: "Eihsu Root, Secretary of State, Washington: 'Have read in the newspapers this morning what purports to be a letter from the governor of Jamaica. I can only say that on material before me I entertain, as responsible for the troops on the island, a feeling of deep gratitude to the American admiral for his generous assistance tendered at a most critical time.'"

(Signed) "HALL DANE,"

"Secretary of State for War, London."

To this the following reply was sent: "Hall Dane, London: 'The president greatly appreciates your cordial telegram and is glad that the proximity of this country made it possible to be of the slightest assistance to the stricken people of Jamaica in this crisis. If because of this proximity and pending the arrival of your own warships and transports, we can render any further aid whatever the president hopes you will call on him without hesitation. We know how cheerfully you would render such aid to us were the circumstances reversed.'"

(Signed) "BACON,"

"Secretary of State."

Meantime, Admiral Davis, who has arrived at Guantanamo from Kingston with the battleships Missouri and Indiana and the gunboat Yankton, is preparing a report which will be forwarded to Washington by mail. The subject was regarded as one of such delicacy that it was deemed advisable to send it in this manner rather than by wireless telegraph. But it has already been anticipated here by the publication today of correspondence between Davis and Swettenham.

Much Indignation Felt

GUANTANAMO, Cuba, January 21.—Admiral Davis, with the battleships Missouri and Indiana, arrived here today at 10 o'clock. The gunboat Yankton appeared a short time before. There is deeply felt indignation at Kingston against the local government on account of the refusal to accept American aid. Surgeons of the fleet treated sixty cases the first day and forty the second at the Jesuits hospital and police headquarters. This was done after the governor had declined aid offered by Admiral Davis.

Official Inquiry On

WASHINGTON, January 21.—Mr. Eam Howard, chargé d'affaires of the British embassy, tonight called on Acting Secretary of State Bacon and presented a letter from Earl Grey, principal secretary of state for Great Britain, regarding the Davis-Swettenham incident. In the message Earl Gray says he is causing an official inquiry to be made to determine the authenticity of the letter purporting to have been written by Swettenham to Davis.

Are Very Grateful, Sure

LONDON, January 21.—Replying to a telegram from the British chargé d'affaires at Washington reporting that the state department had inquired whether Great Britain desired or was willing to accept further assistance for the Kingston sufferers, the foreign office today replied as follows: "The offer of the American government is gratefully appreciated by his majesty's government. The governor of Jamaica has not yet reported his requirements, but it appears likely that there will be no justification for further calls on the generosity of the United States. In the meantime, his majesty's government has been requested by Sir Alexander Swettenham to convey to the government of the United States cordial thanks for the prompt and powerful assistance which the United States navy under Rear Admiral Davis rendered to the inhabitants of Kingston in their suffering."

Sunday's Dispatch

KINGSTON, January 19.—Rear Admiral Davis' mission of mercy to stricken Kingston came to an abrupt and painful conclusion in consequence of Governor Swettenham's objection to the presence of American sailors engaged in the work of cleaning the streets, guarding property and succoring the

wounded and sick, culminating in a letter to the admiral peremptorily requesting him to re-embark all parties which had been landed.

Admiral Davis was greatly shocked and pained, and paid a formal visit to Governor Swettenham today, informing him that the United States battleships Missouri and Indiana and the gunboat Yankton would sail this afternoon. To the Associated Press Admiral Davis said that the immediate compliance with Governor Swettenham's request was the only course consistent with the dignity of the United States.

The friction between the governor and Admiral Davis began with the arrival of the warships, when the governor objected to the firing of a salute in his honor on the ground that the citizens might mistake the firing for a new earthquake. He also declared that there was no necessity for American aid—that his government was fully able to preserve order, attend to the wounded and succor the homeless.

Rear Admiral Davis, however, landed parties of the bluejackets, which patrolled the streets, cleared the debris of the razed ruins, attended many of the wounded and won the highest praise from citizens and military officers for excellent work.

LOOKING FOR ADJUSTMENT

Japanese Premier Talks on the School Question in San Francisco

By Associated Press.

TOKIO, January 21.—Prime Minister Marquis Saionji, in a speech before the house of peers this morning outlined the government's general policy and touched upon the San Francisco school question. He said: "The government has taken all the proper measures in the matter, while the American government is making strenuous efforts to reach a satisfactory conclusion. In connection with the treaty stipulations between Japan and the United States, in the interests of justice and humanity I confidently look forward to a satisfactory adjustment of the question."

YOUNG WOMAN IS FOULY MURDERED

Puts Up Valiant Fight but Is Overpowered and House Is Set Afire

By Associated Press.

BELLINGHAM, Wash., January 21.—Miss Adeline Roper, clerk in a dry goods store, was murdered at Blaine late Saturday evening. It is believed that the object of the attack was robbery but that she made such a valiant fight that her assailant took her life in order to escape detection.

After the murder, oil was poured on the body and the house fired. The fire was checked before the body was incinerated. It was found that two blows were struck on the back of the head with a blunt instrument, two on the left side of the head and one under the right ear with the blade of an axe. The left ear was severed and a handkerchief was stuffed into the mouth.

Raymond Lange was arrested shortly after the murder was discovered, but after the coroner's examination he was exonerated but ordered to be held in jail as a witness. Harry M. Watts, a frequenter of a saloon opposite Miss Roper's home, is now under arrest.

ANOTHER THREATENED UPRISING IN CUBA

By Associated Press.

HAVANA, January 21.—The authorities here today received a dispatch from Santiago de Las Vegas in this province announcing that great alarm prevails there owing to a threatened uprising.

MILLIONS LOST ON GREAT LAKES

Damage to Buffalo from Hurricane Is a Million—Government Is Heavy Loser

By Associated Press.

BUFFALO, N. Y., January 21.—The hurricane which swept the Niagara frontier yesterday has subsided and an extended estimate places the damage at the port of Buffalo alone at about one million. The high waters of Lake Erie receded today, leaving some of the stranded lake liner shigh and dry. Three people were killed by the collapse of a building and another drowned.

Niagara Falls power, shut off yesterday, is again running the trolley cars and lighting the city. The government sustains a loss of from \$100,000 to \$200,000 by the destruction of the breakwater.

TWENTY-NINE DIED IN WRECK

Wreck of Saturday Night Was Caused by Explosion of Car-load of Giant Powder.

PASSENGER CARS SMASHED TO BITS

Fire Immediately Starts and Consumes the Debris, Burning Many of the Injured to Death—Mystery Unsolved.

By Associated Press.

TERRE HAUTE, Ind., January 21.—The revised list of the dead and injured from the explosion and wreck of the Big Four passenger train Saturday night at Sanford shows twenty-nine dead and thirty-two injured. Of the dead, eighteen have been identified.

Coroner Leavitt began work on the cause of the disaster today. The cause of the explosion is much of a disaster as ever, although it is known that a car of powder on a sidetrack exploded.

Cause of Wreck

According to trainmen of the freight the powder was exploded by the concussion made by the passenger train, which was slowing down for the station at Sanford.

Another theory is that gas escaping from an oil pipe line nearby entered the powder car and a spark from the passenger engine ignited the gas.

Others express the belief that the accident was due to a tramp or an intoxicated man firing a shot into the car.

Cars were smashed to pieces by the force of the explosion. Huge masses of iron were found hundreds of feet from the track. The tank of the passenger engine was hurled nearly one hundred feet, landing in a gravel road. Two passenger coaches and on baggage coach were consumed by fire.

The night was dark and heavy rains had rendered the streets of Sanford almost impassable. As the passenger went by the powder car, standing on an adjoining track, the explosion came without warning. The entire train was blown from the tracks and crashed into the mud a mere mass of debris, pinning under it forty helpless human beings. Fire broke out and before the eyes of citizens, who rushed to the rescue, many persons were burned to death before aid could be rendered them.

FINED FOR USING THE MAILS TO DEFRAUD

By Associated Press.

INDIANAPOLIS, Ind., January 21.—P. K. Fitzgerald, a wealthy attorney of this city, indicted on the charge of using the mails with intent to defraud, pleaded guilty today and was fined \$1,500 and costs. Fitzgerald colonized the town of St. George, Georgia, and sold a number of lots. From the sales it was alleged he received about \$75,000, of which \$35,000 was not accounted for.

GAMBLE OFFICIALLY DECLARED ALL RIGHT

By Associated Press.

PIERRE, S. D., January 21.—The legislative committee report, finding nothing in the charges against Senator Gamble which reflects on his personal or official integrity, was adopted by a large majority in both houses today. This insures his re-election tomorrow.

COLORADO WILL HAVE STRINGENT LIHEL LAW

By Associated Press.

DENVER, Colo., January 21.—A libel law framed along the lines of the Pennsylvania law of Pennsylvania and containing an anti-cartoon provision was introduced by Representative J. J. Lorton of Denver and was passed by the house today by a vote of 34 to 18. The bill now goes to the senate.

AUTOMOBILE RACES ON ORMOND BEACH TODAY

By Associated Press.

ORMOND, Fla., January 21.—With ideal weather and the perfect racing surface on the beach, conditions for the opening of the international automobile tournament today were excellent. The first day was devoted entirely to unofficial trials, testing the timing apparatus, etc. Unless the plans are changed no official trials will be run until tomorrow.

GERMAN AMBASSADOR IS HIGHLY HONORED

By Associated Press.

BERLIN, January 21.—Emperor William has conferred the Sacred Eagle order of the first class on Baron Speck Von Sternberg, German ambassador to Washington.

Heart Hits Oil

EL PASO, Texas, January 21.—News was received tonight of the finding of oil at Ojinaga, state of Chihuahua, on lands owned by a syndicate of which W. R. Hearst and J. R. Keene of New York are the heads.